



DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2014-0054; Notice 1]

Ford Motor Company, Receipt of Petition for Decision of
Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA),
Department of Transportation (DOT).

ACTION: Receipt of Petition.

SUMMARY: Ford Motor Company (Ford) has determined that certain model year (MY) 2010-2014 Transit Connect vehicles do not fully comply with paragraph S5.1 of Federal Motor Vehicle Safety Standard (FMVSS) No. 205, *Glazing Materials*. Ford has filed an appropriate report dated March 31, 2014, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*.

DATES: The closing date for comments on the petition is **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods:

- Mail: Send comments by mail addressed to: U.S.

Department of Transportation, Docket Operations, M-30,

West Building Ground Floor, Room W12-140, 1200 New
Jersey Avenue, SE, Washington, DC 20590.

- Hand Deliver: Deliver comments by hand to: U.S.
Department of Transportation, Docket Operations, M-30,
West Building Ground Floor, Room W12-140, 1200 New
Jersey Avenue, SE, Washington, DC 20590. The Docket
Section is open on weekdays from 10 am to 5 pm except
Federal Holidays.
- Electronically: Submit comments electronically by:
logging onto the Federal Docket Management System
(FDMS) website at <http://www.regulations.gov/>. Follow
the online instructions for submitting comments.
Comments may also be faxed to (202) 493-2251.

Comments must be written in the English language, and be no
greater than 15 pages in length, although there is no limit to
the length of necessary attachments to the comments. If comments
are submitted in hard copy form, please ensure that two copies
are provided. If you wish to receive confirmation that your
comments were received, please enclose a stamped, self-addressed
postcard with the comments. Note that all comments received will
be posted without change to <http://www.regulations.gov>,
including any personal information provided.

Documents submitted to a docket may be viewed by anyone at
the address and times given above. The documents may also be

viewed on the Internet at <http://www.regulations.gov> by following the online instructions for accessing the dockets. DOT's complete Privacy Act Statement is available for review in the Federal Register published on April 11, 2000, (65 FR 19477-78).

The petition, supporting materials, and all comments received before the close of business on the closing date indicated below will be filed and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the Federal Register pursuant to the authority indicated below.

SUPPLEMENTARY INFORMATION:

I. Ford's Petition: Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Ford submitted a petition for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Ford's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. Vehicles Involved: Affected are approximately 174,453 Transit Connect vehicles built from March 20, 2009 through September 2, 2013 at the plant in Kocaeli, Turkey as well those built from August 1, 2013 through February 28, 2014 at the plant in Valencia, Spain.

III. Noncompliance: Ford explains that the noncompliance is that subject vehicles do not fully meet the requirements of paragraph S5.1 of FMVSS No. 205 because the windshields installed in the vehicles do not include the "A↓S1" upper boundary markings specified in Section 7 of ANSI/SAE Z 26.1-1996 *Marking of Safety Glazing Materials* which is incorporated by reference in FMVSS No. 205.

IV. Rule Requirements: FMVSS No. 205 incorporates ANSI Z26.1-1996 and other industry standards in paragraph S.5.1 by reference. Paragraph S6 of FMVSS No. 205 specifically requires manufacturers to mark the glazing material in accordance with Section 7 of ANSI Z26.1-1996 and to add other markings required by NHTSA. With respect to the subject noncompliance, Section 7 of ANSI Z26.1-1996 specifies that in addition to the item of glazing number and other required markings, the manufacturer shall include the "A↓S1" upper boundary which will identify the item of glazing, and the area that meets Test 2 of ANSI Z26.1 (1996). The direction of the arrow will point to the direction of the area that complies with Test 2 of ANSI Z26.1 (1996).

V. Summary of Ford's Analyses: Ford stated its belief that the subject noncompliance is inconsequential to motor vehicle safety for the following reasons:

A) The windshield glazing of the affected vehicles otherwise meets all marking and performance requirements of FMVSS No. 205 and ANSI Z26.1-1996. Because all transparent sections of the affected glazing fully meet all of the applicable performance requirements, Ford does not believe the absence of the "A↓S1" upper boundary markings impact the ability of the glazing to satisfy the stated purpose or affect the performance of the glazing intended by FMVSS No. 205.

B) No other related FMVSSs are affected. The vision zones used for all other related FMVSSs are all in clear areas of the glazing and the vehicles are fully compliant to FMVSS No. 103 *Windshield Defrosting and Defogging Systems* and FMVSS No. 104 *Windshield Wiping and Washing Systems*.

C) The windshields are appropriately marked with the AS1 marking adjacent to the Manufacturer's Trademark, as required by ANSI/SAE Z26.1-1996.

D) Ford made reference to a previous petition for inconsequential noncompliance that addressed labeling issues that NHTSA granted.

Ford also stated that it is not aware of any field or owner complaints, accidents, or injuries attributed to this condition.

Ford has additionally informed NHTSA that it has corrected the noncompliance so that all future production vehicles will comply with FMVSS No. 205.

In summation, Ford believes that the described noncompliance of the subject vehicles is inconsequential to motor vehicle safety, and that its petition, to exempt Ford from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that Ford no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the

noncompliant vehicles under their control after Ford notified them that the subject noncompliance existed.

Authority: (49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8)

Jeffrey M. Giuseppe, Acting
Director,
Office of Vehicle Safety Compliance.

Billing Code: 4910-59-P

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